



# K9 Deployment Response

Pasadena Police Department K-9 Program



PASADENA



# What is a K9 Deployment?

## Pasadena Police Department K-9 Program

- A “deployment” is defined as a removal of the dog from the patrol vehicle for any legitimate law enforcement purpose.
- Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:
  - a. The nature and seriousness of the suspected offense.
  - b. Whether violence or weapons were used or are anticipated.
  - c. The degree of resistance or threatened resistance, if any, the suspect has shown.
  - d. The suspect's known or perceived age.
  - e. The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
  - f. Any potential danger to the public and/or other officers at the scene if the canine is released.
  - g. The potential for the suspect to escape or flee if the canine is not utilized.



# When to Deploy a K9

## Pasadena Police Department K-9 Program

- As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.
- It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable.



# K9 Apprehension Law

## Pasadena Police Department K-9 Program

### Tennessee v. Garner

- The apprehension of a person by the use of deadly force is a seizure subject to the reasonableness of the Fourth Amendment.
- Reasonableness of the seizure depends on not only when it was made, but also how it was carried out.
- \*A K9 apprehension is a seizure.

### Robinette v. Barnes

- When a properly trained police dog is used in an appropriate manner to apprehend a felony suspect, the use of the dog does not constitute deadly force.
- Our Peers asks why we train so much? (Kerr v. Palm Beach)
- *PSD must be subject to continual rigorous training in law enforcement techniques.*



# Apprehension Guidelines

## Pasadena Police Department K-9 Program

- Canines are used to locate and apprehend suspect(s). They are one of many use of force tools available to officers and are not considered deadly force if they are properly trained. They are not a guaranteed method to locate a suspect in a designated area.
- Unlike other use of force options such as a 40mm or CED, a canine is the only force option that can be recalled.
- It is the handler's responsibility to determine the suspect has committed, is committing or is threatening to commit any **serious offense** and if any of the following conditions exist:



# Guidelines Cont'd

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- There is *reasonable* belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler
- The suspect is physically resisting or threatening to resist arrest and the use of a canine *reasonably* appears to be necessary to overcome the resistance
- The suspect is believed to be *concealed in an area where entry by other than the canine* would pose a threat to the safety officers or the public.
- The individual(s) are suspected of a *felony* crime and are attempting to flee the scene or are suspected of concealing themselves to elude capture.



# Guidelines Cont'd

## Pasadena Police Department K-9 Program

- The department recognizes that situations arise that do not fall within the provisions set forth in this policy. These events require consideration of the totality of the circumstances and the use of an *objective reasonableness* standard applied to the decision to use a canine. (refer *Matthews v. Jones*)
- Using a canine to apprehend a suspect wanted of a lesser offense requires *Watch Commander Approval*.



# Supervisor Role

## Pasadena Police Department K-9 Program

- If a Sergeant calls a K9 to assist, make sure the primary unit has all the necessary information the handler needs to deploy. (5 W's)
- If a K9 unit is already on scene, the handler will obtain all necessary information and work with supervision to make determination if a deployment can be made.
- The Sergeant **cannot** tell the handler to deploy the canine. It is the handler's decision. *A Supervisor can tell a handler not to deploy.*





# K9 searches and considerations

## Pasadena Police Department K-9 Program

- The K9 Unit's role in any containment is to search. We need a good containment before a search can start.
- **K9 Announcements on PA**
- Never place a K9 on a perimeter during a yard search.
- Allow the K9 to pick search teams and utilize officers who are comfortable searching with a canine.
- Team leader should be a Corporal or another K9 Officer.
- Sergeant should not be part of search.
- **K9 Announcements AGAIN!**
- Should a bite occur, Sergeant could be a percipient witness.
- K9 Sergeant handles all bite investigations if on duty



# Important K9 Search Questions to Consider

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- Can the officer identify the suspect by face or clothing?
- Where was the suspect last seen?
- Do we have enough Canines to search?
- Do we have a detailed description?
- Have PA announcements been made.
- Can perimeter units hear the PA announcements?
- Do we have all proper equipment to assist in search?  
40mm/CED/RAM/Shield/Pick
- Is PD-1 available?
- Do we have enough officers for search teams and have they briefed prior to search?
- RA staging?
- If searching a building, can we contact a responsible party?



# Administrative Bite Investigation

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- Provide medical attention for suspect.
- Check K9 for injuries.
- Find out how long was dog on bite? Put in Administrative Investigation summary.
- BWC all witnesses to the bite. Be sure to ask if they heard announcements and whether they knew the canine was going to be deployed.
- Have photos taken of handler perspective in addition to crime scene photos. BWC Walk through with handler and ID Tech.



# Administrative Bite Investigation

## Pasadena Police Department K-9 Program

- Make sure photos of the bite are taken after the wound has been cleaned.
- Take photos of handler and canine.
- BWC interview with the suspect as soon as practical. It is critical to lock him/her into a statement as soon as possible after the event.
- **Miranda** is necessary even though it is an administrative interview. The best option is to have the primary officer provide Miranda and then ask the administrative questions after the suspect's statement.



# Interview Questions

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- 1. I understand you were bit by a police dog....
- 2. How are you doing?
- 3. Where did the dog bite you?
- 4. Why were you hiding/running?
- 5. Did you know we were going to release the canine?
- 6. Did you hear the canine announcement?
- 7. Why didn't you surrender before the canine announcement?
- 8. Did you know it was a police dog?
- 9. Did you see the police?
- 10. If they fought the canine, why did they fight the canine?
- 11. What did the canine do when he found you?
- 12. What did you do to try and go undetected?
- 13. Ask the doctor if the injuries are life threatening

**For the Preliminary Administrative Investigation, refer to handler report on his/her articulation as to why the canine was utilized.**



# Bite Report

## Pasadena Police Department K-9 Program

- The K9 handler add report is the **ONLY** report documenting the search/bite. All other reports should state “Refer to the K9 Officer’s report for further details.
- The handler writes in his/her report the articulable facts that lead up to the reason a K9 was used to search.
- K9 Sergeant will conduct debrief with K9 handler for use of force review. The K9 Sergeant conducts the Preliminary Administrative Investigation.
- Should an accidental bite occur during a deployment, the K9 Sergeant will respond to conduct the investigation. If the accidental bite occurs during training, the K9 Sergeant will document the incident.



# Outside Assist Deployments

## Pasadena Police Department K-9 Program

- All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following:
  - (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
  - (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
  - (c) Calling out off-duty canine teams is discouraged unless an agency is requesting an Explosive K9 (UASI). If callout is needed during the canine team's regular work week, call out is encouraged if it fits our policy criteria.
  - (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
  - (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed. (318.5.1)

**The K9 Sergeant should respond to outside agency requests when we respond in the event of a use of force**



# Pursuits and Felony Stops

## Pasadena Police Department K-9 Program

- Canines are considered a force multiplier at the end of a pursuit or during a felony stop.
- Should all other useable options be exhausted, and the suspect fails to comply, the handler will make the determination whether the canine is the best option to apprehend the suspect.
- If a pursuit leaves the city, the canine should continue to assist the pursuing units until a supervisor or the watch commander cancels the pursuit.





# Prohibited Use

## Pasadena Police Department K-9 Program

- **Pasadena Police Service dogs should not be utilized for the following:**
  - (a) To search for other animals.
  - (b) To apprehend any person under the influence of alcohol or drugs when no other crime is involved.
  - (c) To apprehend any mentally disturbed person when a crime is not involved.
  - (d) To perform "Stud" service for any reason that would yield a personal or financial reward.
  - (e) To apprehend any person known to be a juvenile, except when the juvenile poses a threat of great bodily harm to the officers or the public.
  - (f) To search for missing persons.
  - (g) Crowd Control